



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald Storch et al. Examiner: James A. Kramer
Serial No.: 09/865,893 Group Art Unit: 3627
Filed: May 25, 2001 Docket No.: T634.112.101
Title: CO-BRANDED INTERNET SERVICE PROVIDER AND RETAILER
INTERNET SERVICE SITE WITH RETAILER-OFFERED INCENTIVES
FOR MEMBER USE

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES (37 C.F.R. §1.191)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from the decision of the Primary Examiner, dated September 21, 2006, re-opening prosecution and rejecting claims 1-7, 10-24 and 30-32.

The fee for this Notice of Appeal, under 37.C.F.R. 41.20(b) is \$500.00. **Applicant respectfully requests that the previously paid fee for the Notice of Appeal and Appeal Brief be applied to this new Appeal.**

This Notice of Appeal is accompanied by an Amendment Under 37 CFR 41.43 in which claims 6 and 32 are canceled from the application.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply.

(a) Applicant petitions for an extension-of-time under 37 C.F.R. 1.17(a) for the total number of months checked below:

one month (\$60.00/\$120.00)
 two months (\$225.00/\$450.00)
 three months (\$510.00/\$1,020.00)
 four months (\$1,080.00/\$2,160.00)

The extension-of-time fee has already been filed in this application.

(b) Applicant believes that no extension-of-time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension-of-time.

Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences

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WITH RETAILER-OFFERED INCENTIVES FOR MEMBER USE

Respectfully submitted,

Gerald Storch et al.,

By their attorneys,

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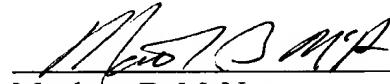
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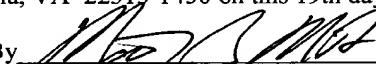
Date: December 19, 2006

MBM:kmh


Matthew B. McNutt

Reg. No. 39,766

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 19th day of December, 2006.

By 
Name: Matthew B. McNutt